IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 24TH NOVEMBER 2006 / 3RD AGRAHAYANA 1928

Bail Appl..No. 6848 of 2006()

CRIME NO. 94/06 OF KARTHIKAPPALLY EXCISE RANGE

PETITIONER/ACCUSED

PODIYAN, S/O. DIVAKARAN,
PUTHEN PORUTHIYIL (FROM MUTTEL VADAKKATHIL),
RAMANCHERY MURI, ARATTUPUZHA VILLAGE,
KARTHIKAPPALLY.

BY ADV. SMT.HYMA.S

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
EXCISE INSPECTOR OF KARTHIKAPPALLY EXCISE RANGE,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 6848 of 2006

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DATED: 24-11-2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in Crime No.94/06 of Karthikappally Excise Range for offences punishable under Secs. 8(1) and 8(2) of the Abkari Act for allegedly having been found in possession of 5 liters of illicit arrack on 7-6-2006 and who surrendered before the Magistrate on 26-10-2006, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M, Haripad, and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

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